

**GREENSPOON MARDER LLP**  
3993 Howard Hughes Parkway, Suite 400  
Las Vegas, Nevada 89169  
Phone: (702) 978-4249/ Fax: (945) 333-4256

Richard W. Epstein, Esq. (admitted *Pro Hac Vice*)  
Jeffrey Backman, Esq. (admitted *Pro Hac Vice*)  
Michelle Durieux, Esq. (admitted *Pro Hac Vice*)  
GREENSPOON MARDER LLP  
200 East Broward Blvd., Ste. 1800  
Fort Lauderdale, FL 33301  
Tel: 954 491-1120  
Facsimile: 954-343-5624  
[Richard.Epstein@gmlaw.com](mailto:Richard.Epstein@gmlaw.com)  
[Jeffrey.Backman@gmlaw.com](mailto:Jeffrey.Backman@gmlaw.com)  
[Michelle.Durieux@gmlaw.com](mailto:Michelle.Durieux@gmlaw.com)

Phillip A. Silvestri, Esq.  
Nevada Bar No. 11276  
GREENSPOON MARDER LLP  
3993 Howard Hughes Parkway, Ste. 400  
Las Vegas, NV 89169  
Tel: 702-978-4249  
Fax: 954-333-4256  
[Phillip.Silvestri@gmlaw.com](mailto:Phillip.Silvestri@gmlaw.com)

Kimberly Maxson-Rushton  
Nevada Bar No. 5065  
Gregory Kraemer  
COOPER LEVENSON, P.A.  
1835 Village Center Circle  
Las Vegas, NV 89134  
T: (702) 366-1125  
F: (702) 366-1857  
[krushton@cooperlevenson.com](mailto:krushton@cooperlevenson.com)  
[gkraemer@cooperlevenson.com](mailto:gkraemer@cooperlevenson.com)

*Attorneys for Plaintiffs*

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

DIAMOND RESORTS U.S. COLLECTION  
DEVELOPMENT, LLC, a Delaware Limited  
Liability Company,

Plaintiff,

v.

REED HEIN & ASSOCIATES, LLC d/b/a  
TIMESHARE EXIT TEAM, a Washington  
Limited Liability Company; BRANDON  
REED, an individual and citizen of the State of  
Washington; TREVOR HEIN, an individual  
and citizen of Canada; THOMAS

Case No.: 2:17-cv-3007-APG-VCF

**JOINT MOTION FOR LEAVE TO FILE  
SURREPLY REGARDING SGB'S  
SPECIAL MOTION TO DISMISS [ECF  
#202]**

PARENTEAU, an individual and citizen of the State of Washington; HAPPY HOUR MEDIA GROUP, LLC, a Washington Limited Liability Company; MITCHELL R. SUSSMAN, ESQ. d/b/a THE LAW OFFICES OF MITCHELL REED SUSSMAN & ASSOCIATES, an individual and citizen of the State of California; SCHROETER, GOLDMARK & BENDER, P.S., a Washington Professional Services Corporation; and KEN B. PRIVETT, ESQ., a citizen of the State of Oklahoma,

Defendants.

Plaintiff, Diamond Resorts US Collection, LLC (“Diamond” or “Plaintiff”), and Defendant Schroeter Goldmark & Bender, P.S. (“SGB”), pursuant to LR 7-2(b), request that this Court grant Plaintiff leave to file a limited Surreply related to SGB’s Special Motion to Dismiss (ECF #202, the “Motion”), as follows:

On July 24, 2020, SGB filed its Response to Diamond’s Opposition to SGB’s Motion (ECF #256, the “Reply”). The Reply contains references to certain facts that were not included in, or were not available at the time of filing, the Motion three months earlier [ECF No. 202]. Because Diamond asserts it did not have an opportunity to address these issues in its Opposition, SGB has agreed, subject to this Court’s approval, to allow Diamond to file a short (5 pages) Surreply to address the information Diamond contends it did not have an opportunity to respond to, including: (1) the two additional lawsuits initiated by the law firm of Albright Stoddard against Diamond since the filing of the Motion, referenced in the Declaration of Jorge Alvarez, Esq. attached to the Reply as Exhibit 1; (2) the documents disclosed in SGB’s Sixth Supplemental Disclosure, attached to the Reply as Exhibit 6; (3) the portion of Defendant Reed Hein & Associates’ Thirteenth Supplemental Disclosure, attached to the Reply as Exhibit 7, (4) SGB’s request for *in camera* review of pertinent documents, and (5) the impact of (1)-(4) on any of the arguments raised in Diamond’s Opposition of the Motion.

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On that basis, the Parties collectively request that the Court grant Diamond leave to file the requested Surreply within seven (7) days after the Court grants this Joint Motion.

**Dated this 6<sup>th</sup> Day of August, 2020.**

GREENSPOON MARDER, LLP

LIPSON NEILSON, P.C.

/s/ Phillip A. Silvestri, Esq.

/s/ Megan H. Hummel, Esq.

PHILLIP A. SILVESTRI, ESQ.

JOSEPH P. GARIN, ESQ.

Nevada Bar No. 11276

Nevada Bar No. 6653

3993 Howard Hughes Parkway, Suite 400

MEGAN H. HUMMEL, ESQ.

Las Vegas, NV 89169

Nevada Bar No. 12404

9900 Covington Cross Drive, Suite 120

Las Vegas, NV 89144-7052

and

RICHARD W. EPSTEIN, ESQ.

*Attorneys for Defendant*

*Admitted Pro Hac Vice*

*Schroeter, Goldmark & Bender, P.S.*

JEFFREY BACKMAN, ESQ.

*Admitted Pro Hac Vice*

MICHELLE E DURIEUX, ESQ.

*Admitted Pro Hac Vice*

200 East Broward Blvd., Suite 1800

Fort Lauderdale, FL 33301

and

COOPER LEVENSON, P.A.

KIMBERLY MAXON-RUSHTON, ESQ.

Nevada Bar No. 5065

GREGORY KRAEMER, ESQ.

Nevada Bar No. 10911

1835 Village Center Circle

Las Vegas, NV 89134

*Attorneys for Plaintiff*

*Diamond Resorts Corporation*

IT IS SO ORDERED.

Dated: August 6, 2020



ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system on this 6th day of August, 2020. I also certify that the foregoing document is being served this day on all counsel of record or *pro se* parties identified on the Court's Service List via transmission of Notices of Electronic Filing generated by CM/ECF. For any counsel or parties who are not are not authorized to receive Notices of Electronic Filing electronically, I certify that I served those parties via First Class U.S. Mail.

/s/ Maria Salgado

An employee of Greenspoon Marder LLP

**GREENSPOON MARDER LLP**  
3993 Howard Hughes Parkway, Suite 400  
Las Vegas, Nevada 89169  
Phone: (702) 978-4249/ Fax: (945) 333-4256